IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Group Art Unit: 2857
Hassan Mostafavi	Examiner: Desta, Elias
Serial No.: 10/664,534)))
Filed: September 16, 2003)
For: METHOD AND SYSTEM FOR PREDICTIVE PHYSIOLOGICAL)))
GATING OF RADIATION THERAPY	<i>)</i> -

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR § 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO/SB/08A (08-00) are enclosed. Copies of U.S. Patents are not enclosed, pursuant to the U.S. Patent and Trademark Office waiver of this requirement under 37 CFR § 1.98 (a)(2)(i) for patent applications filed after June 30, 2003. Other references have been previously provided the U.S. Patent Office for the parent application, U.S. Patent application, S.N. 09/178,383 (now U.S. Patent No. 6,621,889) and related patent application S.N. 09/893,122.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

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Information Disclosure Statement Filing Provision:

applica 37 CFF mailing	hin three tion file R § 1.49	S is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is months of the filing date of the application, which is not a continued prosecution d under § 1.53(d) or (2) within three months of entry of the national stage as set forth in 1; or (3) before the mailing of a first Office action on the merits; or (4) before the st Office action after filing a request for continued examination under § 1.114. Thus, no
		However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR §1.17(p) to the deposit account referenced below.
		However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.
		es is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office derits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 1. The fee due under 37 CFR § 1.17(p) is submitted herewith.
		A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.
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counte	rpart for	eign application, and, to the knowledge of the person signing this statement after

making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

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	fees required by the filing of these papers, and to c	redit any overpayment to Bingham
	McCutchen's Deposit Account No. 50-2518, billin	ng No. VM17010733002.
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		Respectfully submitted,
		BINGHAM McCUTCHEN LLP
Dated:	June 18, 2004 By:	Gerald Chan
BINGI	HAM McCUTCHEN LLP	Reg. No. 51,541

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INFORMATION DISCLOS STATEMENT BY APPLICANT

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Sheet	1	of	

Complete if Known		
Application Number	10/664,534	
Filing Date	09/16/2003	
First Named Inventor	HASSAN MOSTAFAVI	
Group Art Unit	2857	
Examiner Name	DESTA, ELIAS	
Attorney Dkt No.	VM7010733002	

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Examiner	Cite	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines,
Initials*	No. ¹	Number – Kind Code ² (if known)	MM-DD-YY	Application of Cited Document	Where Relevant Passages of
				 	Relevant Figures Appear
	AA	US-3,861,807 A	1/1975	Lescrenier	
	AB	US-3,871,360 A	3/1975	Van Horn et al.	
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	AX	US-5,954,647	09/21/99	Boya et al.	,
	AY	US-6,138,302 A	10/2000	Sashin et al.	-

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT				First Named Inventor	HASSAN MOSTAFAVI	
			ANI	Group Art Unit	2857	
(use	as many sheets	as necessar	y)	Examiner Name	DESTA, ELIAS	
Sheet	2	of	6	Attorney Dkt No.	VM7010733002	

	U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No.1	Document Number Number – Kind Code ² (if known)	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
****	AZ	US-6,146,390 A	11/2000	Heilbrun et al.	
	ВА	US-6,165,181 A	12/2000	Heilbrun et al.	
	ВВ	US-6,185,445 B1	2/2001	Knüttel	
	вс	US-6,185,446 B1	2/2001	Carlsen, Jr.	
	BD	US-6,198,959 B1	3/2001	Wang	
	BE	US-6,501,981	12/2002	Schweikard et al.	

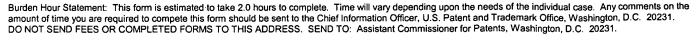
		FOREIGN PAT	ENT DOCU	MENTS		
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	BF	DE 43 41 324 A 1	06/08/95			
	BG	79458 - Finland	09/29/89			
	вн	WO 98/16151 - PCT	04/23//98			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)					
ВІ	Balter, J.M., et al.; "Uncertainties In CT-Based Radiation Therapy Treatment Planning Associated With Patient Breathing"; Int. J. Radiat. Oncol., Biol., Phys. 36, pp. 167-174 (Aug. 1996).				
BJ	Bellenger, N.G., et al.; "Left Ventricular Quantification In Heart Failure By Cardiovascular MR Using Prospective Respiratory Navigator Gating; Comparison With Breath-Hold Acquisition"; <i>J. Magn. Reson. Imaging</i> 11; pp. 411-417; (April 2000).				
вк	Cho, K., et al.; "Development Of Respiratory Gated Myocardial SPECT System", J. Nucl. Cardiol. 6; pp. 20-28; (Jan./Feb. 1999),				
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Signature	Considered

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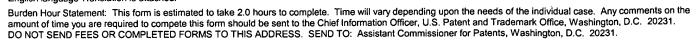
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				Filing Date	09/16/2003	
STATEMENT BY APPLICANT				First Named Inventor	HASSAN MOSTAFAVI	
			ANI	Group Art Unit	2857	
(use as many sheets as necessary)				Examiner Name	DESTA, ELIAS	
Sheet	3	of	6	Attorney Dkt No.	VM7010733002	

	OTH	ER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)
	ВМ	Ehman, R.L., et al.; "Magnetic Resonance Imaging With Respiratory Gating: Techniques and Advantages; Am. J. Roentgenol 143; pp. 1175-1182 (Dec. 1984).
· · · · · · · · · · · · · · · · · · ·	BN	Fröhlich, H., et al.; "A Simple Device For Breath-Level Monitoring During CT"; Radiology 156; p. 235 (Jul. 1985).
	во	Johnson, L.S., et al.; "Initial Clinical Experience With A Video-Based Patient Positioning System"; Int. J. Radiat. Oncol., Biol. Phys. 45; pp. 205-213; (August 1999).
	BP	Hanley, J., et al., "Deep Inspiration Breath-Hold Technique For Lund Tumors: The Potential Value of Target Immobilization And Reduced Lund Density In Dose Escalation"; <i>Int. J. Radiat. Oncol., Biol. Phys.</i> 45; pp. 603-611 (October 1999).
3.3	BQ	Henkelman, R.M., et al.; "How Important Is Breathing In Radiation Therapy Of The Thorax?"; Int. Radiat. Oncol., Biol., Phys. 8; pp. 2005-2010 (November 1982).
	BR	Hofman, M.B.M., et al.; "MRI Of Coronary Arteries: 2D Breath-Hold vs. 3D Respiratory-Gated Acquisition"; <i>J. of Comp. Assisted Tomography</i> 19; pp. 56-62 (Jan./Feb. 1995).
-	BS	Iwasawa, Tae, et al.; "Normal In-Plane Respiratory Motion of the Bilateral Hemidiaphragams Evaluated By Sequentially Subtracted Fast Magnetic Resonance Images"; <i>Journal of Thoracic Imaging</i> ; 1999; Vol. 14, No. 2; pp. 130-134.
	BT	Jolesz, Ference A.; "Imaging-Guided Procedures and the Operating Room of the Future"; Radiology; SPL Technical Report # 48; May 1997; 204; 601-612.
	BU	Kachelriess, Marc, et al.; "Electrocardiogram-correlated Image Reconstruction From Subsecond Spiral Computed Tomography Scans Of The Heart"; Med. Phys. 25 (12); December 1998, pp. 2417-2431.
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	BX	Korin, H.W., et al.; "Respiratory Kinematics Of The Upper Abdominal Organs: A Quantitative Study"; <i>Magn. Reson. Med.</i> 23; pp. 172-178 (January 1992).
-	BY	Kubo, H. Dale, et al.; "Breathing-Synchronized Radiotherapy Program at the University of California David Cancer center"; <i>Med. Phys. 27 (2)</i> ; February 2000; pp. 246-353.
	BZ	Kubo, H.D., et al., "Compatibility Of Varian 2100C Gated Operations With Enhanced Dynamic Wedge And IMRT Dose Delivery"; <i>Med. Phys.</i> 27; pp. 1732-1738; (August 2000).
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	BBB	Kubo, H.D., et al.; "Respiration Gated Radiotherapy Treatment: A Technical Study"; Phys. Med. Biol. 41; pp. 83-91; (1996).

Examiner's Signature	Date Considered	

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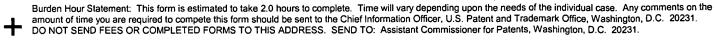
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	INFOR	MATION	DISCLOS	SURF	Filing Date	09/16/2003	
	INFORMATION DISCLOSURE STATEMENT BY APPLICANT				First Named Inventor	HASSAN MOSTAFAVI	
					Group Art Unit	2857	
(use as many sheets as necessary)					Examiner Name	DESTA, ELIAS	
	Sheet	4	of	6	Attorney Dkt No.	VM7010733002	

ОТН	ER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)
BCC	Kutcher, G.J., et al.; "Control, Correction, and Modeling Of Setup Errors and Organ Motion", Semin. Radiat. Oncol. 5; pp. 134-145 (April 1995).
BDD	Lethimonnier et al.; "Three-Dimensional Coronary Artery MF Imaging Using Prospective Real-Time Respiratory Navigator And Linear Phase Shift Processing: Comparison With Conventional Coronary Angiography", <i>Magn. Reson. Imaging</i> 17; pp. 1111-1120; (1999).
BEE	Lewis, C.E., et al.; "Comparison Of Respiratory Triggering And Gating Techniques For The Removal Of Respiratory Artifacts In MR Imaging"; Radiology 160; pp. 803-810; (September 1986).
BFF	Li, Debiao, et al.; "Coronary Arteries: Three-dimensional MR Imaging With Retrospective Respiratory Gating"; Radiology; December 1996; Vol. 201; No. 3.; pp. 857-863.
BGG	Luker, Gary D., et al.; "Ghosting of Pulmonary Nodules With Respiratory Motion: Comparison of Helical and Conventional CT Using an In Vitro Pediatric Model"; AJR:167; November 1996; pp. 1189-1193.
ВНН	Mageras, Gig, et al.; "Initial Clinical Evaluation Of A Respiratory Gating Radiotherapy System"; Dept. of Medical Physics, Memorial Sloan-Kettering Cancer Center, New York; 4 pps.
BII	Mageras, G.S.; "Interventional Strategies For Reducing Respiratory-Induced Motin In External Beam Therapy"; The Use of Computers In Radiation Therapy XIIIth International conference, Heidelberg, German; pp. 514-516; (May 2000).
BJJ	Mageras, G. S., et al.; "Respiratory Motion-Induced Treatment Uncertainties"; Patras Medical Physics 99-VI International Conference On Medical Physics, Monduzzi Editore; pp. 33-39; (September 1999).
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ВММ	Malone, S., et al.; Respiratory-Induced Prostate Motion: Quantification And Characterization", Int. J. Radiato. Oncol., Biol., Phys. 48; pp. 105-109; (August 2000).
BNN	Moerland, M.A., et al., "The Influence Of Respiration Induced Motion Of The Kidneys On The Accuracy Of Radiotherapy Treatment Planning, A Magnetic Resonance Imaging Study", Radiotherapy Oncol. 30, pp. 150-154 (1994).
CA	Mori, Masayuki, et al.; "Accurate Contiguous Sections Without Breath-Holding On Chest CT: Value of Respiratory Gating and Ultrafast CT"; AJR:162, May 1994; pp. 1057-1062.
СВ	Ohara, K., et al.; "Irradiation Synchronized With Respiration Gate"; Int. J. Radiat. Oncol., Biol. Phys. 17; pp. 853-857; (October 1989).
СС	Oshinski, J.N., et al.; "Two-Dimensional Coronary MR Angiography Without Breath Holding"; <i>Radiology</i> 201; pp. 737-743; (December 1996).

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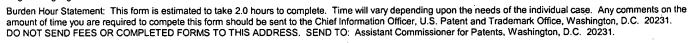
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SIAIE	STATEMENT BY APPLICANT			Group Art Unit	2857	
(use as many sheets as necessary)				Examiner Name	DESTA, ELIAS	
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CD	Paivansalo Suramo, M., et al.; "Cranio-caudal Movements Of The Liver, Pancreas And Kidneys In Respiration", <i>Acta Radiol. Diagn.</i> 2; pp. 129-131; (1984).
CE	Peltola, Seppo M.Sc.; "Gated Radiotherapy To Compensate For Patient Breathing"; <i>Proceedings of the Eleventh Varian Users Meeting</i> ; Macro Island, Florida; May 11-13, 1986.
CF	Ramsey, C.R., et al.: "A Comparison Of Beam Characteristics For Gated and Nongated Climical X-Ray Beams":, <i>Med. Phys. 26</i> ; pp. 2086-2091; (October 1999).
CG	Ramsey, C.R., et al.; "Clinical Efficacy Of Respiratory Gated Conformal Radiation Therapy", <i>Medical Dosimetry</i> 24; pp. 115-119; (1999).
СН	Ritchie, Cameron J., et al.; "Predictive Respiratory Gating: A New Method To Reduce Motion Artifacts on CT Scans"; Radiology; 1994; pp. 847-852; Vol. 190; No. 3.
CI	Robinson, Terry E., et al.; "Standardized High-Resolution CT of the Lung Using a Spirometer-Triggered Electron Beam CT Scanner"; AJR: 172; June 1999; pp. 1636-1638.
CJ	Rogus, R.D., et al.; "Accuracy Of A Photogrammetry-based Patient Positioning and Monitoring System For Radiation Therapy"; <i>Med. Phys.</i> 26; pp. 721-728; (May 1999).
СК	Rosenzweig, K.E., et al.; "The Deep Inspiration Breath Hold Technique In The Treatment Of Inoperable Non-Small Cell Lung Cancer"; Int. J.Radiat. Oncol., Biol., Phys. 48; pp. 81-87; (August 2000).
CL	Ross, C.S., et al.; "Analysis Of Movement Of Intrathoracic Neoplasms Using Ultrafast Computerized Tomography"; Int. J. Radiat. Oncol., Biol., Phys. 18; pp. 671-677; (March 1990).
CM	Runge, V.M., et al.; "Respiratory Gating In Magnetic Resonance Imaging at 0.5 Tesla",; Radiology 151; pp. 521-523; (May 1984).
CN	Sachs, T.S., et al.; "Real-Time Motion Detection In Spiral MRI Using Navigators", Magn. Reson. Med. 32; pp. 639-645; (November 1994).
co	Schwartz, L.H., et al.; "Kidney Mobility During Respiration"; Radiother. Oncol. 32; pp. 84-86; (1994).
СР	Shirato, H., et al.; "Four-Dimensional Treatment Planning And Fluroscopic Real-Time Tumor Tracking Radiotherapy For Moving Rumor"; Int. J. Radiat. Oncol., Biol., Phys. 48; pp. 435-442; (September 2000).
ca	Sinkus, Ralph, et al.; "Motion Pattern Adapted Real-Time Respiratory Gating"; Magnetic Resonance in Medicine 41; 1999; pp. 148-155.
CR	Solberg, Timothy D., et al.; "Feasibility of Gated IMRT"; 3 pps.
cs	Tada, Takuhito, et al.; "Lung Cancer: Intermittent Irradiation Synchronized With Respiratory Motion-Results Of A Pilot Study"; Radiology; June, 1998; Vol. 207; No. 3; pp. 779-783.
СТ	van Geuns, R.J., et al.; "Magnetic Resonance Imaging Of The Coronary Arteries; Clinical Results From Three Dimensional Evaluation Of A Respiratory Gated Technique"; Heart 82; pp. 515-519; (October 1999).

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Subst	Substitute for form1449A/PTO				Application Number	10/664,534	
	INFORM	ΜΔΤΙΩΝ	DISCLOS	IIRF	Filing Date	09/16/2003	
	INFORMATION DISCLOSURE STATEMENT BY APPLICANT				First Named Inventor	HASSAN MOSTAFAVI	
					Group Art Unit	2857	
	(use a	as many shee	ts as necessar	y) .	Examiner Name	DESTA, ELIAS	
_	Sheet	6	of	6	Attorney Dkt No.	VM7010733002	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)					
CU	Wang Yi, et al.; "Implications For The Spatial Resolution in Coronary Imaging"; <i>Magnetic Resonance in Medicine</i> 33; 1995; pp. 713-719.				
CV	Weiger, Markus, et al.; "Motion-Adapted Gating Based on k-Space Weighting For Reduction of Respiratory Motion Artifacts"; Magnetic Resonance in Medicine 38; 1997; pp. 332-333.				
CW	Woodard, Pamela K., et al.; "Detection of Coronary Stenoses on Source and Projection Images Using Three-Dimensional MR Angiography With Retrospective Respiratory Gating: Preliminary Experience"; <i>AJR:170</i> ; April 1998; No. 4; pp. 883-888.				
СХ	Wong, John W., et al.; "The Use Of Active Breathing Control (ABC) To Reduce Margin For Breathing Motion"; Int. J. Radiation Oncology Biol. Phys.; 1999; Vol. 44; No. 4; pp. 911-919				
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CZ	Yuan, Q., et al.; "Vardiac-Respiratory Gating Method For Magnetic Resonance Imaging Of The Heart"; <i>Magn. Reson. Med.</i> 43; pp. 314-318; (February 2000).				

Examiner's	Date
Signature	Considered

^{*} EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of US Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

